

Court of Appeals, State of Michigan

ORDER

Russell Plastering Company v Michigan Construction Industry Mutual
Insurance Company

Docket No. 274049

LC No. 2004-059387-CK

Richard A. Bandstra
Presiding Judge

Pat M. Donofrio

Deborah A. Servitto
Judges

The motion for sanctions is GRANTED, as there was no reasonable basis for belief that there was a meritorious issue to be determined on appeal. MCR 7.216(C)(1)(a). This matter is REMANDED to the trial court for a determination of actual damages incurred by plaintiff-appellee while defending this appeal, which includes costs and a reasonable attorney fee. MCR 7.216(C)(2).

We do not retain jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

APR 22 2008

Date

Sandra Schultz Mengel
Chief Clerk